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IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF OREGON

UNITED STATES OF AMERICA,)

CR 05-60008-01

Plaintiff,)

GOVERNMENT'S OPPOSITION
TO DEFENDANT'S REQUEST
TO MODIFY CONDITIONS OF
PRETRIAL RELEASE

vs.)

PEROUZ SEDAGHATY,)

a/k/a Pete Seda and Abu Yunus,)

Defendant.)

The United States of America, through its undersigned counsel,
herein opposes defendant's written request (docket #146) to modify his
conditions of pretrial release. Support for this opposition follows.

Use of Computers Without Restrictions

Defendant first requests that he be allowed unfettered access to computers, and opposes any requirement that pretrial services be permitted to monitor his potential use of the internet.

The government does not oppose a relaxation of defendant's pretrial release conditions to allow him some access to, and use of, computers and the internet. Yet, any such access must be limited and monitored by pretrial services. For example, given the nature of this case, it would be prudent to restrict defendant from accessing websites devoted to propagating the interests of *mujahideen*. The government recommends that, should the Court wish to grant defendant Sedaghaty computer and internet access, that it be restricted to a list of sites and e-mail addresses approved in advance by pretrial services. In addition, pretrial services should be given the right to monitor and review defendant's computer and internet use at any time.

GPS Monitoring

Defendant next requests that the Court remove the pretrial release condition requiring him to submit to GPS monitoring. The undersigned spoke to Pretrial Services Officer Mike McFarland. While Mr. McFarland

reports that defendant has performed well while under his supervision, the fact remains that defendant Sedaghaty retains his Iranian citizenship, and could at any time abscond for Iran without a United States or Iranian Passport. The Court knows that defendant Sedaghaty departed the United States after becoming aware that he was the subject of a criminal investigation, and intentionally remained outside the United States even after learning that he had been indicted and was the subject of an arrest warrant in the United States. During this time, which surpassed four years, defendant apparently traveled to and resided in Syria, the United Arab Emirates, Saudi Arabia and Iran. It would be virtually impossible to locate, apprehend and extradite defendant should he again decide to leave the United States prior to trial. Accordingly, the government opposes defendant's request to remove his pretrial condition of GPS monitoring.

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